

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masatomo MATSUBARA et al.

Application No.: 10/721,595

Confirmation No.: 5975

Filed: November 26, 2003

Art Unit: 2625

For: USER-FRIENDLY IMAGE FORMING
APPARATUS AND METHOD FOR
RECEIVING INSTRUCTIONS RELATING TO
IMAGE DATA FROM AN EXTERNAL
DEVICE AND TRANSMITTING IMAGE-
RELATED INFORMATION TO THE
EXTERNAL DEVICE (as amended)

Examiner: Vincent M. Rudolph

REQUEST FOR REFUND

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Applicants filed an Amendment Under 37 CFR 1.111, and a Petition for a Three-Month Extension of Time on March 3, 2009. The PTO charged the attorney's deposit account \$880.00, fee code 1201, for 4 independent claims in excess of 3. The application filed on November 26, 2003, had 17 total claims, of which 7 were independent. The PTO charged a fee of \$344.00 for the 4 extra independent claims at that time; therefore, the attorney's Deposit Account was improperly charged since the Amendment made no changes to the status of the claims.

A copy of the Patent Application Fee Determination Record and the U.S. Department of Commerce Patent and Trademark Office Fee Record Sheet completed at the time of the original

filing, and showing that a charge of \$344.00, fee code 1201, for the 4 extra independent claims was made on December 2, 2003, is attached.

A copy of the Patent Application Fee Determination Record and the U.S. Department of Commerce Patent and Trademark Office Fee Record Sheet completed after the Amendment filing of March 3, 2009, and showing that a charge of \$880.00, fee code 1201, for the 4 extra independent claims was made again on March 3, 2009, is also attached, as well as a copy of the Index of Claims which shows that there are still 17 total claims in this application, of which 7 are independent.

All of the above mentioned PTO forms were retrieved from PAIR.

Applicants request a refund of \$880.00 to be credited to Deposit Account No. 03-1952 referencing docket no. 325772033300.

Dated: May 28, 2009

Respectfully submitted,



By _____
Jonathan Bockman
Registration No.: 45,640
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 400
McLean, Virginia 22102
(703) 760-7769

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

10221595

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS	17	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	17 - minus 20 = 0	
INDEPENDENT CLAIMS	2 - minus 3 = 4	
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

SMALL ENTITY TYPE ☐

OTHER THAN SMALL ENTITY

RATE	FEE	RATE	FEE
BASIC FEE	385.00	BASIC FEE	770.00
XS 9=		XS18=	
X43=		X86=	344.00
+145=		+290=	
TOTAL		TOTAL	1114.00

SMALL ENTITY

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
XS 9=		XS18=	
X43=		X86=	
+145=		+290=	
TOTAL		TOTAL	
ADDIT. FEE		ADDIT. FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	**	=
Independent	*	Minus <td>***</td> <td>=</td>	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
XS 9=		XS18=	
X43=		X86=	
+145=		+290=	
TOTAL		TOTAL	
ADDIT. FEE		ADDIT. FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
XS 9=		XS18=	
X43=		X86=	
+145=		+290=	
TOTAL		TOTAL	
ADDIT. FEE		ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

12/02/2003 WABRHHM1 00000023 031952 10721595

01 FC:1001	770.00 DA
02 FC:1201	344.00 DA

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 10/721,595		Filing Date 11/26/2003		<input type="checkbox"/> To be Mailed		
APPLICATION AS FILED – PART I										
(Column 1)			(Column 2)		SMALL ENTITY <input type="checkbox"/>		OR OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	OR		RATE (\$)	FEE (\$)		
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		OR		N/A			
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(a), (d), or (m))	N/A	N/A	N/A		OR		N/A			
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(a), (p), or (q))	N/A	N/A	N/A		OR		N/A			
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 = *	*	X \$ =		OR		X \$ =			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 = *	*	X \$ =		OR		X \$ =			
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				OR					
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					OR					
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		OR		TOTAL			
APPLICATION AS AMENDED – PART II										
(Column 1)			(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
03/03/2009	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(i))	* 17	Minus ** 20	= 0	X \$ =		OR		X \$ =	0	
Independent (37 CFR 1.16(h))	* 7	Minus *** 3	= 4	X \$ =		OR		X \$ =	880	
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						OR				
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR				
				TOTAL ADD'L FEE		OR		TOTAL ADD'L FEE	880	
(Column 1)			(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(i))	*	Minus **	=	X \$ =		OR		X \$ =		
Independent (37 CFR 1.16(h))	*	Minus ***	=	X \$ =		OR		X \$ =		
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						OR				
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR				
				TOTAL ADD'L FEE		OR		TOTAL ADD'L FEE		
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>										

Legal Instrument Examiner:
/DEBRA A. SAVOY/


This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 03/16/2009

DSAVOY	SALE	#00000001	Mailroom Dt:	03/03/2009	031952	10721595
		01	FC : 1201		880.00	DA

<i>Index of Claims</i> 	Application/Control No. 10721595	Applicant(s)/Patent Under Reexamination MATSUBARA ET AL.
	Examiner Vincent Rudolph	Art Unit 2625

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant			<input type="checkbox"/> CPA			<input type="checkbox"/> T.D.			<input type="checkbox"/> R.1.47			
CLAIM			DATE									
Final	Original	08/21/2008										
	1	✓										
	2	✓										
	3	✓										
	4	✓										
	5	✓										
	6	✓										
	7	✓										
	8	✓										
	9	✓										
	10	✓										
	11	✓										
	12	✓										
	13	✓										
	14	✓										
	15	✓										
	16	✓										
	17	✓										